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Total Number Of Pages In This Submission

Application Number

09/765,555

Filing Date

19 January 2001

First Named Inventor

Carlos F. BARBAS III et al.

Group Art Unit

1638

Examiner Name

Anne R. Kubelik

Attorney Docket No.

278012001420

ENCLOSURES (check all that apply)

 Fee Transmittal Form Assignment Papers
(for an Application) After Allowance Communication to
Group Fee Attached Drawing(s) Appeal Communication to Board of
Appeals and Interferences Amendment / Reply Licensing-related Papers Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief) After Final Petition Proprietary Information Affidavits/declarations Petition to Convert to a
Provisional Application Status Letter Extension of Time Request Power of Attorney, Revocation
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Incomplete Application

Remarks



25225

PATENT TRADEMARK OFFICE

 Response to Missing Parts
under 37 CFR 1.52 or 1.53

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual Name	Peng Chen, Registration No. 43,543 Morrison & Foerster LLP, 3811 Valley Centre Drive, Suite 500, San Diego, CA 92130
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Signature	
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Date	February 10, 2003
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Rhea Amid

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Rhea Amid

#10151ec.
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3/1/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Carlos F. BARBAS, III, et al.

Serial No.: 09/765,555

Filing Date: January 19, 2001

For: METHODS AND COMPOSITIONS TO
MODULATE EXPRESSION IN
PLANTS

Examiner: Anne R. Kubelik

Group Art Unit: 1638

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RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This paper responds to the Restriction Requirement mailed on January 9, 2003, for which a response is due on February 10, 2003 as February 9, 2003 being a Sunday. Since this response is timely filed, *i.e.*, by February 10, 2003, no fee is required for filing this Response.

Claims 1-54 are restricted to groups I - XII as follows:

- I. Claims 1-2, 5-31,36-55 and 133-138, drawn to a method of modulating the expression of a target gene by topically applying a zinc finger protein to a plant, classified in class 514, subclass 2.
- II. Claims 1, 3-31, 36-89, 91-100 and 133-138, drawn to a method of modulating the expression of a target gene by transforming a plant with a nucleic acid that